



**Department of Energy**  
Washington, DC 20585

NOV 29 1995

MEMORANDUM FOR DISTRIBUTION

FROM:

*Mary Ann Wallace*  
MARY ANN WALLACE  
LEADER, RECORDS MANAGEMENT TEAM  
OFFICE OF INFORMATION MANAGEMENT

SUBJECT:

RM 96-14, ESTABLISHMENT OF CHIEF INFORMATION  
OFFICER

Attached for your information is a copy of a memorandum dated November 9, 1995, from the Secretary of Energy. This memorandum appoints Mr. S. W. Hall, Jr., as the Chief Information Officer (CIO) for the Department.

The last paragraph states the initial focus of the Departmental CIO will be to address "non-laboratory management and operating contractors." It further states that the "National Laboratory community will be addressed at a later time, after the benefits of a collaborative approach to information management are established."

The prioritization of the CIO's "initial focus," as set by the Secretary, is not to be interpreted as in any way excluding or exempting the National Laboratories from records management laws and regulations as promulgated by the National Archives and Records Administration, the General Services Administration, and other Central Agencies with Governmentwide records management program authorities and responsibilities.

The head of each Federal agency is required by law (44 United States Code 3101) to "...make and preserve records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the agency and designed to furnish the information necessary to protect the legal and financial rights of the Government and of persons directly affected by the agency's activities."

The head of each Federal agency is also required by regulation (36 Code of Federal Regulations Part 1222) to prescribe recordkeeping requirements which will ensure that records creation

and maintenance activities systematically document the transaction of agency business. The recordkeeping requirements must be sufficient to:

- "(a) Document the persons, places, things, or matters dealt with by the agency.
- (b) Facilitate action by agency officials and their successors in office.
- (c) Make possible a proper scrutiny by the Congress and other duly authorized agencies of the Government.
- (d) Protect the financial, legal, and other rights of the Government and of persons directly affected by the Government's actions.
- (e) Document the formulation and execution of basic policies and decisions and the taking of necessary actions, including all significant decisions and commitments reached orally (person to person, by telecommunications, or in conference).
- (f) Document important board, committee, or staff meetings."

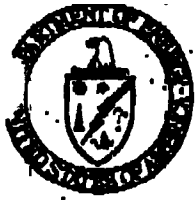
Insofar as the National Laboratories create, receive, maintain, and disposition a substantial variety and volume of documentary materials which serve to provide the "adequate and proper documentation" of the Department's business, it is not possible for the Department to unilaterally exclude the National Laboratories from the Department's recordkeeping requirements nor, consequently, from the Department's records management program requirements.

To exclude the National Laboratories from Department of Energy records management program requirements and, in effect, exclude them from Federal records management program requirements, would be to abrogate the agency head's Federal records management responsibilities as set forth in law and regulation.

Thus, while the CIO is not immediately focusing on the National Laboratories, there are aspects of information management, such as records management, for which the National Laboratories are not and cannot be excluded. The application of records management laws and regulations to the National Laboratories is non-negotiable.

Please contact Ron Shores on 301-903-2780 or myself on 301-903-4353 if you would like to discuss this matter further.

Attachment



**The Secretary of Energy**  
Washington, DC 20585

November 9, 1995

**MEMORANDUM FOR S. W. HALL, JR.**  
**DEPUTY ASSISTANT SECRETARY**  
**FOR INFORMATION MANAGEMENT**

**FROM:** HAZEL R. O'LEARY  
**SUBJECT:** Chief Information Officer

A handwritten signature in black ink, reading "Hazel R. O'Leary", written over the printed name in the "FROM" field.

Effective November 1, 1995, you are appointed Chief Information Officer for the Department of Energy. This assignment includes the duties of the Designated Senior Official presently defined by Office of Management and Budget Circular A-130, Management of Federal Information Resources.

As Chief Information Officer, you will coordinate and facilitate the development of a shared vision and corporate perspective of information management and insure that the Department integrates and streamlines its information management practices and processes in support of the Department's strategic plan. You will champion the Department's initiatives to effectively manage information and to provide corporate systems that add value to the businesses of the Department. You should also provide appropriate information technology tools and assistance to the Department to support business process reengineering initiatives.

The initial focus of the departmental Chief Information Officer will be to address improved information management by the Department's Federal work force and non-laboratory management and operating contractors. This will ensure the Department's information management activities are integrated resulting in greater efficiency and cost savings. The National Laboratory community will be addressed at a later time, after the benefits of a collaborative approach to information management are established.